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05 UNITED STATES DISTRICT COURT  
06 WESTERN DISTRICT OF WASHINGTON  
07 AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) Case No. MJ09-425  
10 v. )  
11 TUAN LAM, ) DETENTION ORDER  
12 Defendant. )  
13

14 Offenses charged:

15 Count 1: Manufacturing Marijuana, in violation of 21 U.S.C. §§ 841(a)(1) and  
16 841(b)(1)(B)

17 Count 2: Possession of Firearms in Furtherance of a Drug Trafficking Offense,  
18 in violation of 18 U.S.C. § 924(c)(1)(A)(i)

19 Date of Detention Hearing: August 26, 2009

20 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
21 based upon the factual findings and statement of reasons for detention hereafter set forth,  
22 finds:

23 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

24 (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that  
25 defendant is a flight risk and a danger to the community based on the nature of the pending  
26 charges. Application of the presumption is appropriate in this case.

(2) At the time of service of a search warrant, defendant fled through a bedroom

01 window.

02 (3) A loaded automatic rifle was found during the search. Another fully loaded  
03 handgun was also discovered.

04 (4) Defendant was on supervision and violated the terms of his release when this  
05 conduct occurred.

06 (5) Defendant has a substance abuse problem.

07 (6) There are no conditions or combination of conditions other than detention that  
08 will reasonably ensure the appearance of the defendant as required or ensure  
09 the safety of the community.

10 IT IS THEREFORE ORDERED:


11 (1) Defendant shall be detained pending trial and committed to the custody of the  
12 Attorney General for confinement in a correctional facility separate, to the extent practicable,  
13 from persons awaiting or serving sentences or being held in custody pending appeal;

14 (2) Defendant shall be afforded reasonable opportunity for private consultation  
15 with counsel;

16 (3) On order of a court of the United States or on request of an attorney for the  
17 government, the person in charge of the corrections facility in which defendant is confined  
18 shall deliver the defendant to a United States Marshal for the purpose of an appearance in  
19 connection with a court proceeding; and

20 (4) The Clerk shall direct copies of this Order to counsel for the United States, to  
21 counsel for the defendant, to the United States Marshal, and to the United States Pretrial  
22 Services Officer.

23 DATED this 26th day of August, 2009.

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25 JAMES P. DONOHUE  
26 United States Magistrate Judge